REMARKS

This communication is in response to the Office Action mailed on July 7, 2006.

The Office Action reports that claims 1-56 were rejected under 35 U.S.C. §112 as failing to comply with the written description. In particular, the language "the controls not being in a form executable directly by the client browser" was cited as lacking support in the specification. With this Amendment, applicants have removed the cited language in each of the claims and replaced it with "…controls being abstractions related to client side markup executable by a client browser…." Support for this language is found in the specification at least at page 28, lines 14-21. Accordingly, withdrawal of the rejection is respectfully requested.

The Office Action next reports that claims 1, 2, 4-8, 12, 13, 15-19, 23, 24, 26-30 and 52 were rejected under 35 U.S.C. §102(e) as being anticipated by Dantzig et al. (US Patent 7,020,841). Of these claims, claims 1, 12, 23 and 52 are independent claims.

The reasoning provided in the Office Action is found on pages 3-5 and is generally organized based the manner in which elements are recited in independent claims 12 and 23. Specifically, the basis of the rejection for the first recited element, "first set of controls", is first provided and found on pages 3-4, while the basis of the rejection for the second recited element, "second set of controls" is then provided and found on pages 4-5. Finally, on page 5, the Office Action sets forth the reasoning concerning the last recited element, the module that is configured to receive an authoring page comprising

the first and second controls and from them is configure to generate client side markup.

From the Office Action it is clear that the Examiner has concluded that the "first set of controls" equates to a first processing thread initiated by a multi-modal presentation manager 11 of Dantzig et al, and likewise, the "second set of controls" equates to a second processing thread initiated by the multi-modal presentation manager 11 of Dantzig et al. (Office Action Page 3, paragraph 4, line 7; Page 4, lines 8-9). Applicants respectfully traverse this characterization of Dantzig et al. at least and particularly in view that claims 12 and 23 specifically recite that the controls include "attributes for defining desired visual renderings on the client device" and "attributes for defining desired operation on the client device comprising at least one of recognition and audibly prompting" (as recited by way of example in claim 23). Moreover, it is these controls with corresponding attributes that form an "authoring page" to define an application that in turn is used by the recited "module". This language simply does not read on "processing threads" as used by Dantzig et al. and as contended in the Office Action.

At column 7, lines 9-12, Dantzig et al. state "In general, the multi-modal presentation manager 11 receives and processes IML input files 12 comprising, e.g., an application." Hence, the IML input files equate to the authoring page for a website, as recited in each of the independent claims. However, and importantly, Dantzig et al. further state in the very next sentence at column 7, lines 12-14 that "The IML files 12 comprise a plurality of modality-independent components or instances (e.g., conversational gestures as described in the above-incorporated U.S. Ser. No. 09/544,823)" (emphasis added). In other words, unlike that recited in the independent claims, Dantzig et al. specifically teach that the IMLs, which are equivalent to the authoring page in the claims, do not contain

any controls that have attributes associated with visual rendering and/or recognition and audibly prompting. Rather, Dantzig et al. will generate modality dependent markup when the modality neutral IML is processed.

The present invention as recited by the independent claims is patentably distinguishable over the description provided by Dantzig et al. Where Dantzig et al. explicitly teach that the application or website is defined in modality neutral terms in the IML, i.e. the application author uses instructions that are not concerned, and moreover, explicitly devoid of visual, recognition and/or audible prompting features, each of the independent claims recite a module that is configured to receive just the opposite, an authoring page replete and in fact defined by with such instructions.

Accordingly, applicants respectfully request withdrawal of the rejection and allowance of each of the independent claims.

The dependent claims were rejected based on Dantzig et al. or in combination with Ladd et al. Although each of the dependent claims are allowable simply based on their dependence on allowable independent claims, applicants respectfully believe that each are separately patentable when the features recited by the dependent claim is combined with the features recited in the independent claim from which it depends and any intervening claims. For instance, each of claims 2-4, 7-11, 13-15, 18-21, 24-26, 29-51, 53-56 recite features related to attributes of the controls or the controls themselves, which for the reasons discussed above Dantzig clearly teaches away from such modality dependent instructions. In addition, for the reasons stated in the previous responses, Ladd et al. merely describe a voice browser for interactive services and methods thereof. The system illustrated and described by Ladd et al. provides a number of communication devices 201, 202, 203 and 204 that can access information. Ladd et al. do mention a markup language server 251

or a markup language server 257; however, no where do Ladd et al. describe features of the controls as recited in the dependent claims when combined with the features recited in their corresponding independent claim, and if present, intervening claim(s). At best Ladd et al. provide a general description of the markup language servers, but provide no details as to any sort of controls.

In view of the foregoing, applicants respectfully request reconsideration of the application as amended. Favorable action upon all claims is solicited.

Applicant hereby requests an extension of time to respond to the Office Action. An online charge authorization for the extension of time fee and extra claim charges is enclosed.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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